

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

2004 JUN 16 P.D.cket No. 2003-10370-DPW-05

UNITED STATES OF AMERICA *

*

V. *

*

JOHN MCCARTHY *

U.S. DISTRICT COURT
DISTRICT OF MASS.

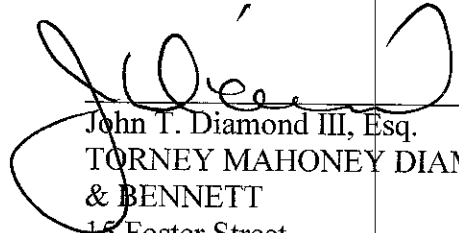
DEFENDANT, JOHN MCCARTHY'S, REQUEST FOR
ADDITIONAL TIME TO FILE MOTIONS

Jack Diamond, counsel for John McCarthy, respectfully requests additional time to file motions. The court previously set Wednesday, June 16, 2004, for the filing of any non-discovery type motions. The defendant respectfully requests that the Court schedule a new deadline at the Status Conference currently scheduled for Thursday, June 17, 2004.

As reasons therefore, the defendant states that this is a complex case. The charges involve an 8-codefendant drug distribution allegation. There are approximately 5,000 pages of discovery. The defendant requires additional time to assess and evaluate all of the materials. Additionally, it appears, upon first review of the numerous discovery materials, that there are additional materials that need to be provided. There has been some delay and difficulty in receiving all of these materials through no fault of the government. The defendant will require additional time to assess and review those materials, prior to making determinations as to whether any motions for additional discovery would need to be filed, and what other type of motions would be appropriate.

The Assistant U.S. Attorney, Rachel Hershfang, handling this matter on behalf of the government, has assented to similar requests on behalf of other codefendants.

Respectfully submitted,
John McCarthy,
By his Attorney,

A handwritten signature in black ink, appearing to read "John T. Diamond III", is written over a horizontal line.

John T. Diamond III, Esq.
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& BENNETT
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Dated:

6/16/04

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2004 JUN 16 P 1:17

U.S. DISTRICT COURT
DISTRICT OF MASS.

JAMES J. TORNEY, JR.
JOHN T. DIAMOND III
DANIEL J. BENNETT
JAMES M. HANLEY

OF COUNSEL
DAVID P. MAHONEY

June 16, 2004

Delivered In Hand
Honorable Robert B. Collings
Magistrate Judge
District Court of Massachusetts
John J. Moakley U.S. Courthouse
One Courthouse Way, Suite 2300
Boston, MA 02210

RE: United States of America v. John McCarthy
Docket No.: 2003-10370-DPW-05

Dear Magistrate Judge Collings:

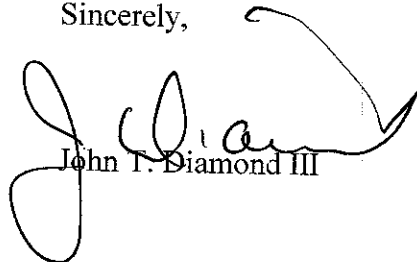
Enclosed herewith this correspondence, kindly find the following document, relative to the above-reference matter:

1. Defendant, John McCarthy's, Request for Additional Time to File Motions

This matter is currently scheduled for Status Conference on Thursday, June 17, 2004, at 2:00 p.m.

Thank you for your attention in this regard.

Sincerely,



John T. Diamond III

JTD/cam
Enclosure

CC: Assistant U.S. Attorney Rachel Hershfang – via facsimile (617) 748-3965